

REMARKS

This is in response to the Office Action mailed on May 5, 2004, and the references cited therewith.

No claims are amended, canceled, or added; as a result, claims 1, 3-23, 28-40 and 43-45 remain pending in this application.

§103 Rejection of the Claims

Claims 1, 3, 4, 6-8, 15-23, 34, 43 and 44 were rejected under 35 USC § 103(a) as being unpatentable over Parthasarathy et al. (U.S. Patent No. 6,347,398 B1) in view of Britton (U.S. Patent No. 6,279,030 B1).

Claims 5, 9-13, 28-32, 35-40 and 45 were rejected under 35 USC § 103(a) as being unpatentable over Parthasarathy et al. (U.S. Patent No. 6,347,398 B1) in view of Britton (U.S. Patent No. 6,279,030 B1) as applied to claims 1 and 4 in view of McNally et al. (U.S. Patent No. 6,259,448).

Claims 14 and 33 were rejected under 35 USC § 103(a) as being unpatentable over Parthasarathy et al. (U.S. Patent No. 6,347,398 B1) in view of Britton (U.S. Patent No. 6,279,030 B1) as applied in claims 9 and 28, in view of McNally et al. (U.S. Patent No. 6,259,448).

Applicant acknowledges and thanks the Examiner for the telephone conversation held on August 5, 2004, between the Examiner and Applicant's attorney during which the cited Britton (U.S. Patent No. 6,279,030 B1) reference was discussed. The question was raised as to the status of Britton as prior art in view of the priority date on the Application. The Examiner instructed that a response be filed pointing out this priority date and the question of validity of the references as prior art.

Applicant respectfully points out that Britton (U.S. Patent No. 6,279,030 B1) was filed on November 12, 1998, and McNally et al. (U.S. Patent No. 6,259,448) was filed on June 3, 1998, while the Application has a priority date of May 6, 1998. This priority date is based on a Great Britain Application 980670.4. Accordingly, the Applicant believes that the Britton and McNally et al. references are not prior art for the Application.

Therefore, since neither Britton nor McNally et al. can serve as prior art with respect to the instant Application, a *prima facie* case of obviousness has not been established with respect to any pending claims. Applicant respectfully requests reconsideration and withdrawal of these rejections.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 349-9592 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SOREN STAMMERS ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 349-9592

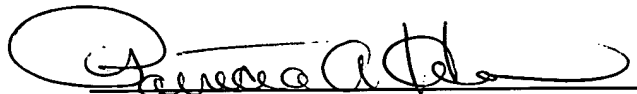
Date Aug. 5, 2004

By Ann M. McCrackin
Ann M. McCrackin
Reg. No. 42,858

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 5th day of August, 2004.

PATRICIA A. HULTMAN

Name



Signature